

Message Text

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ORIGIN TRSY-04

INFO OCT-01 EUR-12 EA-06 IO-10 ISO-00 AGR-05 CEA-01

CIAE-00 COME-00 DODE-00 EB-07 FRB-03 H-01 INR-07

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DRAFTED BY TREASURY:DHSTOUGHTON:CC

APPROVED BY EUR/RPE:JTMCCARTHY

TREASURY:RALBRECHT

EB/ITP/OT/STA:ECONSTABLE

STR:TGRAHAM

EB/OMA:NRIEGG

TREASURY:MBRADFIELD

EUR/RPE:RDHARDING

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FM SECSTATE WASHDC

TO USMISSION EC BRUSSELS PRIORITY

INFO USMISSION GENEVA

AMEMBASSY LONDON

AMEMBASSY BONN

AMEMBASSY TOKYO

AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY PARIS

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E.O. 11652: N/A

TAGS:EFIN, ETRD, EEC

SUBJECT: GATT PANELS ON DISC AND RELATED TAX PRACTICES

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REF: A) GENEVA 4044 B) GENEVA 236 C) STATE 13985

D) STATE 279432 E) GENEVA 7389

1. WE HAVE ARRANGED THROUGH LENG OF EC DELEGATION IN WASHINGTON TO HAVE U.S. DELEGATION MEET WITH EC REPRESENTATIVES (PROBABLY TRAN VAN PHI AND ABBOTT) IN BRUSSELS ON JANUARY 28 AND 29, CONCERNING GATT PANELS ON THE DISC AND RELATED TAX PRACTICES. THESE PANELS, WHICH WERE CONVENED BY THE GATT COUNCIL ON JULY 30, 1973 (REF A), ARE TO CONSIDER THE COMPATABILITY OF THE DISC LEGISLATION AND CERTAIN RELATED TAX PRACTICES OF BELGIUM, FRANCE, AND THE NETHERLANDS, WHICH THE U.S. BELIEVES HAVE AN EFFECT SIMILAR TO THE DISC.

2. U.S. DELEGATION WILL BE HEADED BY RICHARD ALBRECHT, GENERAL COUNSEL OF THE DEPARTMENT OF THE TREASURY, AND WILL INCLUDE DAVID STOUGHTON, OFFICE OF THE GENERAL COUNSEL, TREASURY, AND THOMAS GRAHAM, OFFICE OF THE SPECIAL TRADE REPRESENTATIVE. ALBRECHT AND STOUGHTON WILL ARRIVE BRUSSELS BE 536 11:25 AM MONDAY, JANUARY 27. MISSION REQUESTED TO MAKE HOTEL RESERVATIONS FOR ALBRECHT AND STOUGHTON FOR NIGHTS OF JANUARY 27-29. GRAHAM WILL INFORM MISSION OF TRAVEL PLANS SEPARATELY.

3. PURPOSE OF THE MEETING IS TO DISCUSS THE CURRENT STATUS OF THE SELECTION OF THE MEMBERSHIP OF THE PANELS. THE PANELS ARE TO HAVE IDENTICAL MEMBERSHIP, CONSISTING OF A CHAIRMAN, TWO GATT EXPERTS, AND TWO TAX EXPERTS (REF C AND D) TO BE SELECTED WITH AGREEMENT OF THE PARTIES. AMBASSADOR PETER LAI OF MALAYSIA HAS BEEN SELECTED AS CHAIRMAN. TENTATIVE AGREEMENT HAS BEEN REACHED ON THE GATT EXPERTS. WE ARE NOW ATTEMPTING TO REACH AGREEMENT ON THE TAX EXPERTS (REFS D AND E). WE ALSO PLAN TO DISCUSS THE PROCEDURES TO BE FOLLOWED BY THE PANELS IN CONSIDERING THE FOUR COMPLAINTS. THE U.S. DELEGATION IS PREPARED TO SUBMIT PROPOSED PROCEDURES FOR CONSIDERATION BY THE EC. CHAIRMAN LAI WILL NOT PARTICIPATE IN THE DISCUSSIONS. KISSINGER

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